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DEC 14 2006

**OFFICE OF PETITIONS**

ON PETITION

In re Application of  
Lipa Leon Roitman  
Application No. 10/708,732  
Filed: March 22, 2004  
Title of Invention: **[NOVEL REACTIONS AND  
THE PRODUCTS OF SUCH REACTIONS]**

This is a decision on the petition under 37 CFR 1.137(b), filed May 3, 2006 and supplemented June 7, 2006, to revive the above identified application.

The petition is **DISMISSED**.

Any request for reconsideration of this decision must be submitted within TWO (2) MONTHS from the mail date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. The reconsideration request should include a cover letter entitled "Renewed Petition under 37 CFR 1.137(b)". This is **not** a final agency decision.

This application became abandoned February 3, 2006 for failure to file a timely response to the Restriction Requirement mailed November 2, 2005. Accordingly, a Notice of Abandonment was mailed March 15, 2006.

Petitioner files the instant petition under 37 CFR 1.137(b)<sup>1</sup> however, the petition lacks item (1) above.

<sup>1</sup> Effective December 1, 1997, the provisions of 37 CFR 1.137(b) now provide that where the delay in reply was unintentional, a petition may be filed to revive an abandoned application or a lapsed patent pursuant to 37 CFR 1.137(b). A grantable petition filed under the provisions of 37 CFR 1.137(b) must be accompanied by:

(1) the required reply, unless previously filed. In a nonprovisional application abandoned for failure to prosecute, the required reply may be met by the filing of a continuing application. In an application or patent, abandoned or lapsed for failure to pay the issue fee or any portion thereof, the required reply must be the payment of the issue fee or any outstanding balance thereof.

(2) the petition fee as set forth in 37 CFR 1.17(m);

(3) a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional. The Commissioner may require additional information where there is a question whether the delay was unintentional; and

(4) any terminal disclaimer (and fee as set forth in 37 CFR 1.20(d)) required pursuant to 37 CFR 1.137(c).

The Office Action mailed November 2, 2005 required the filing of a election to the Restriction Requirement. Petitioners filed the petition and the petition fee but not the response to the Office Action.

This application will remain in an abandoned status until such time as the requirements set out in the Restriction Requirement mailed November 2, 2005 have been complied with.

Further correspondence with respect to this matter should be addressed as follows:

By mail: Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

By FAX: (571) 273-8300  
ATTN: Office of Petitions

Telephone inquiries concerning this matter may be directed to the undersigned Petitions Attorney at (571) 272-3212.

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